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Report of the Secretary-General on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau

I. Introduction

1. The present report is submitted pursuant to paragraph 14 of Security Council resolution 1233 (1999), by which the Council requested me to keep it regularly informed of and to submit a report on developments in Guinea-Bissau and on the activities of the United Nations Peacebuilding Support Office in Guinea-Bissau (UNOGBIS). Subsequently, in paragraph 11 of Security Council resolution 1580 (2004), the Council requested me to submit a written report to it every three months.

2. The present report focuses on developments since my last report, dated 2 December 2005 (S/2005/752), and, in particular, the stand-off between the Government and the opposition in Parliament, which has hampered progress in the normalization of relations among State institutions.

II. Political developments

3. During the period under review, the situation in the country continued to be dominated by political tensions along personality and party lines. The bitter divisions over the 2005 presidential elections are now mirrored in a National Popular Assembly, which is polarized into two blocs: one bloc, including a dissident faction of the African Party for the Independence of Guinea and Cape Verde (PAIGC), supports the current Government appointed by President João Bernardo Vieira on 2 November 2005; the other bloc is allied to the previous PAIGC Government, which the President dismissed on 28 October 2006. The balance of power remains fluid and neither side can confidently assure sustainable support in Parliament.

4. In my previous report to the Security Council I noted that the new Government was expected to present its programme and the 2006 budget to the regular parliamentary session, which was to begin on 21 November 2005. That session, was delayed, however, and Parliament finally convened on 20 February 2006. By a vote of 51 to 39 with 2 abstentions, it voted to include the Government's work programme on its agenda.

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5. At the same time the PAIGC spokesman continued to urge President Vieira to dismiss the Government led by Prime Minister Aristides Gomes and to replace it with a broad-based "national salvation" Government, drawing also from parties not represented in the National Popular Assembly.

6. Despite its earlier pledges to respect the decision of the Supreme Court of Justice on the constitutionality of the President's decision to appoint Mr. Gomes as Prime Minister, PAIGC organized civil actions to protest the Court's ruling, upholding the President's decision. In early February 2006 it joined forces with 10 smaller parties that had supported the PAIGC presidential candidate, Malam Bacai Sanhá, and established the Broad Republican Front, the aim of which, according to its spokesperson, was to prevent dictatorship.

7. Another major political controversy surrounds the appointment of substitutes for those pro-Government deputies who suspended their mandates upon accepting ministerial posts in the new Government, as well as the replacement of deceased deputies and appointments to parliamentary commissions. Some Government supporters have accused the Speaker of obstruction and partisanship, and the run-up to the session has been particularly tense, with recriminations exchanged in the media and in communiqués. It is not clear whether the replacement issues will be discussed at the ongoing session of the Assembly.

8. UNOGBIS has led joint efforts with the Community of Portuguese-Speaking Countries and the Economic Community of West African States (ECOWAS) to get the two sides to negotiate their differences constructively. To that end, a process was initiated to bring together senior presidential advisers, representatives of the Government, parliamentary parties and the Permanent Commission of the National Popular Assembly. While participants have affirmed their commitment to constructive dialogue and reconciliation, they have yet to fully muster the will to move to joint problem-solving in the wider interest of the public. There has been growing awareness among civil society actors that the political impasse must be broken through dialogue. The various civil society initiatives have been presented to President Vieira who, in an address to civil society groups in February, said he was pleased at the positive response to his call for a process of national reconciliation. However, he stressed the need for consensus, coordination and harmonization among the various initiatives and warned against competition for resources.

9. Drawing on its partnership with the National Institute of Studies and Research of Guinea-Bissau and the Geneva-based War-torn Societies Project, UNOGBIS organized, from 2 to 5 February, a workshop whose 22 participants included representatives of civil society groups and the Guinea-Bissau diaspora. Participants examined the causes of the current political crisis and discussed and proposed effective strategies to prevent the materialization of a worst-case scenario and to foster positive developments. In particular, they identified inefficient governance and leadership, the lack of constructive dialogue, the absence of a broadly shared national vision among political actors and a weak judicial system as key among the causes of the current political crisis. To overcome it, they suggested as an immediate priority the need to promote a "grand national reconciliation" initiative, starting with a process of broad consultations with the different national stakeholders, harmonization of the various dialogue initiatives and encouragement of dialogue within the main political parties. In the short to medium term, participants felt that the priority should be to develop a broad national consensus on issues of major

national concern. This, in their view, could be achieved by encouraging dialogue and consensus-building among the organs of sovereignty and by using the media as a vehicle for constructive dialogue. They also proposed the organization of a donors' round table for Guinea-Bissau.

10. In order to develop national capacity in conflict transformation and in preparation for its joint training programme with SNV Netherlands Development Organization on leadership and conflict transformation skills for parliamentarians, UNOGBIS, on 7 February, organized a one-day pilot training workshop for 22 politicians, civil society actors and military officers involved in reconciliation initiatives. One of the aims of the workshop was to identify those among the participants who could be trained as trainers/facilitators in this field. Participants, who were exposed to key aspects of the theory and practice of conflict transformation and views on the relevance of such training, unanimously agreed that a conflict transformation approach would be a useful tool with which to address the country's political crisis and could help bring together the various dialogue and peace initiatives. They also felt that such training workshops should be offered to a broader audience, particularly in Parliament.

11. Following a decision of the Extraordinary Session of the Conference of Heads of State and Government of the West African Economic and Monetary Union (UEMOA), held in Niamey on 23 December 2005, a joint high-level delegation including a technical team of UEMOA, the Central Bank of West African States, the West African Development Bank and ECOWAS visited Bissau from 20 to 24 February. The delegation met President Vieira, the Speaker of Parliament and the Prime Minister to exchange views on the current political and socio-economic situation, with the UEMOA technical team examining possible financial and technical assistance to the country.

III. Economic and social aspects

12. The economic and fiscal situation in Guinea-Bissau remains very difficult, especially given seasonally low revenues in the first quarter of the year. As a result, the Government has to resort to commercial loans and the issuance of treasury bills through the regional banking system to raise funds against expected budgetary support from the European Union and the World Bank in order to meet current expenditure. Thus, civil service salaries from November 2005 to January 2006 were paid through a short-term commercial loan of 4 billion CFA francs.

13. A planned mission of the International Monetary Fund, which was cancelled in October 2005 due to the change of Government, now plans to visit Bissau in March 2006. Its objective will be to conduct with the authorities the annual bilateral discussions of the country's economic developments and policies in 2005, under article IV of the IMF Articles of Agreement. The start of discussions on a staff-monitored programme for 2006 will depend on the approval of the Government's work programme by Parliament.

14. The European Union recently reaffirmed its continued engagement in Guinea-Bissau and signed an addendum to increase its assistance for the 2002-2007 national indicative programme with Guinea-Bissau by €10.7 million. The European Union and the authorities agreed that €5.7 million would be disbursed for security sector reform and €5 million for budgetary support in 2006. Also on the positive side, the

Government of Italy contributed €193,000 to the Emergency Economic Management Fund, administered by the United Nations Development Programme (UNDP), the operation of which was extended in December 2005. Meanwhile, two new banks with links to the subregion opened in Bissau, bringing to three the number of commercial banks operating in the country.

15. The school year did not start in early October, as is customary. It was delayed until December 2005 due to a cholera epidemic and strikes called by the national teachers' union. Disruptions have continued, as the Union has called for further strikes while negotiations continue with the Ministry of Education on the payment of salary arrears, pay raises and other contractual issues.

16. Between 2002 and 2005 enrolment rates for the first year of primary education increased by more than 30 per cent, with a significant increase in the number of girls enrolled. Following a request of the Ministry of Education for United Nations support for the review of the country's educational system and to intensify efforts to improve the quality of education, the United Nations country team is working closely with bilateral and multilateral donors to the United Nations Educational, Scientific and Cultural Organization to respond constructively to those requests.

17. In early February the Ministry of Health officially announced the end of the cholera epidemic. The United Nations system is assisting the authorities in devising contingency preparedness measures with regard to the avian influenza threat in the region.

18. Given that the last national census was conducted in 1991, the Government requested assistance from the international community to conduct a new one, estimated to cost $2.5 million. The preparation of the technical documents for the project would be supported by the United Nations Population Fund.

IV. Military and security aspects

19. With the support of UNOGBIS, the armed forces National Commission on Reconciliation and Reintegration, which was set up in February 2005, launched the second phase of its sensitization campaign on 16 January. The Commission's work has been expanded to cover the police, security and other paramilitary forces. To consolidate progress made so far, the activities will now focus on, among other things, such issues as the negative impact of ethnicity in the armed forces, the role the armed forces played in the recent presidential elections and the need to include in the reconciliation process those citizens of Guinea-Bissau who served in the Portuguese colonial army during the struggle for independence. The Commission has stressed the need for reconciliation, for subordination to civilian authorities and for staying out of the political arena, as well as the need to contribute to good relations with neighbouring countries.

20. UNOGBIS has continued to support the national efforts towards security sector reform. In December 2005, it presented to the Government the mission report of the United Kingdom Security Sector Development Advisory Team that had visited Bissau on a fact-finding mission from 10 to 13 October 2005. The Government has adopted the report as one of the anchors of the security sector review process, together with the country's defence white paper and the proposed programme of the Government for 2006. In accordance with one of the

recommendations contained in the report, the Prime Minister has issued a decree creating an inter-ministerial committee on security sector reform. The Committee, which involves all relevant government departments, was formally launched on 7 February. UNDP has also been working closely with the Ministry of Defence in managing the security sector reform trust fund, set up with funds from Brazil, on behalf of the Community of Portuguese-Speaking Countries. Subsequently a steering committee, chaired by the Minister of Defence, was set up to orient the work of a technical team and approve its proposals before submitting them to the inter-ministerial committee and the Cabinet; UNOGBIS, UNDP, ECOWAS, the Community of Portuguese-Speaking Countries and the European Union participated in the steering committee in an advisory capacity as observers. From 20 February to 3 March, the Security Sector Development Advisory Team met in Bissau for its second visit to consult with key stakeholders and to facilitate reaching consensus on the process and on the content of a security sector review exercise, including agreement on their respective roles and responsibilities.

21. There has been an increase in the number and quantity of weapons and drugs seized, and more judicial processes on the seizures have been opened. This increase has not, however, led to a reduction in delinquency, which could imply that the consequences rather than the causes are being addressed. In this connection, the United Nations Office on Drugs and Crime (UNODC) conducted a mission to Guinea-Bissau from 23 to 27 January to carry out a preliminary assessment of the country's law enforcement capacity, especially with regard to the fight against drugs and organized crime and the situation in prisons. UNODC found that the Government had weak capacity to provide border security, which had resulted in international criminal networks using the country as a transit point for drug trafficking. It also noted the Government's inability to ensure the execution of sanctions and, consequently, the administration of effective and transparent justice. During its visits to civilian detention centres in Bissau, UNODC stressed that the rehabilitation of the detention facilities, which it said were in appalling condition, was a most pressing concern.

22. The UNODC technical report on its assessments and its recommendations on operational follow-up actions in terms of project ideas, justice administration, including prison reform, and territorial and border control would be transmitted to Guinea-Bissau authorities and potential funding partners and would constitute an integral part of the proposed programme to reform the national security sector.

23. With regard to demining operations, an area totalling 8,107 square metres of land was cleared of landmines and unexploded ordnance, and 1 anti-tank mine, 10 pieces of large-calibre unexploded ordnance and 605 pieces of small-calibre unexploded ordnance were destroyed during the reporting period. The UNDP-supported national mine action coordination authority completed preparations to conduct a landmine impact survey. The survey will provide detailed information on the nature and location of contamination and its effects on the population of Guinea-Bissau. The information from the survey should in turn permit more accurate and efficient planning and prioritization of the country's resources, as well as better integration of the mine action issue into development planning.

V. Human rights aspects

24. UNOGBIS continued to promote respect for human rights, including in the administration of justice. The lack of adequate detention facilities and their poor condition contributed to the violation of the rights of detainees. As part of the regular joint monitoring of detention conditions, UNOGBIS, together with representatives of the Office of the Attorney-General, visited the three civilian detention centres in Bissau. The main objective of such visits is not only to monitor the situation, but also to ensure that detainees are not held beyond the permissible remand period.

25. Gender-related issues remained high on UNOGBIS agenda. On 16 February, the Office convened a coordination meeting, attended by representatives of eight non-governmental organizations and the State-sponsored Institute of Women and Children, to discuss how best to advance women's rights and define a common agenda. Participants stressed the need for greater liaison between the various groups to avoid duplication of efforts and unanimously agreed to establish a coordination committee to explore the potential of women's groups to play a more central role in the consolidation of peace and democracy in the country.

VI. Observations and recommendations

26. In my previous report I observed that the actors in Guinea-Bissau were addressing their differences peacefully, through the proper constitutional channels, which is an important step forward in building a culture of respect for the rule of law. I wish to reiterate the importance and, indeed, the urgency of such an approach, especially given the negative impact of political polarization on the overall evolution of the country.

27. The grave consequences of the lack of constructive dialogue cannot be overstated. It has resulted in the undermining of the authority of two vital institutions of State, namely, the Supreme Court, which is challenged by the opponents of the Government, and the Speaker of Parliament, who is challenged by supporters of the Government. It is both important and urgent for the people of Guinea-Bissau to re-establish the authority of their democratic institutions, without which genuine reconciliation is not possible, stability is compromised and the flow of development assistance is interrupted. It is fundamental that they put aside the contradictions of the recent past and join forces to start a process of sustainable reconciliation.

28. I am encouraged by the strong commitment of large sectors of society in Guinea-Bissau to constructive dialogue, reconciliation and reconstruction and especially by recent indications that the Government and its opponents were prepared to try to find a mutually acceptable solution to their differences. I also welcome the close cooperation among UNOGBIS, ECOWAS and the Community of Portuguese-Speaking Countries and commend their joint initiatives to ensure more constructive partnership in support of Guinea-Bissau. At the same time, I wish to stress that it is up to the people of Guinea-Bissau themselves to overcome mistrust, move away from antagonistic positions and engage in joint action to improve conditions in their country.

29. I am particularly pleased to note the positive role played by the military leadership in consolidating the reconciliation and reintegration processes and also in working to promote security sector reforms despite the prevailing political tensions. While these processes are still nascent, there appears to be an emerging political will to move them forward. I am also pleased to note the directive of the Chief of the General Staff calling upon the military to remain outside the political arena and to subordinate itself to the civilian authorities. I urge the military leadership to remain steadfast in this resolve.

30. I welcome the Government's efforts to improve the delivery of some social services, as well as the overall conditions of the military, the police and the justice sector. Much remains to be done, given the financial difficulties the Government continues to face. I therefore wish to reiterate my urgent appeal to the international community for continued engagement in support of Guinea-Bissau in these and other domains, especially in order to avert worsening social and political tensions. The international community has invested heavily and productively in helping to pull Guinea-Bissau back to constitutional rule and it is important that we, together with the people of that country, remain focused to consolidate the progress made at such great cost. In that regard, I wish to commend Guinea-Bissau's partners, in particular the unwavering solidarity and commitment of ECOWAS, the Community of Portuguese-Speaking Countries and the European Union.

31. Finally, I wish to thank my Representative for Guinea-Bissau, João Bernardo Honwana, the staff of UNOGBIS and the entire United Nations country team for their enduring commitment and dedication to promoting peace, stability, prosperity and development in Guinea-Bissau.